

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

NASRIN NEJAD (AKA "ZAHRA S. NEZHAD" AND "NASRIN'S FLOWER GARDEN, L.L.C."), SP 2014-SU-025 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 6810 Farrahs Cavalry Rd., Centreville, 20121, on approx. 9,206 sq. ft. of land zoned R-3 (Cluster) and WS. Sully District. Tax Map 65-3 ((5)) (5) 51. (Decision deferred from 6/18/14 and 7/16/14.) Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on September 24, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the property.
2. The zoning is R-3C, WS.
3. The area of the lot is 9,206 square feet.
4. Staff recommends approval.
5. Stated in a memorandum dated September 17, 2014, all violations have, in fact, been corrected.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Nasrin Nejad, Zahra S. Nezhad, and Nasrin's Flower Garden, L.L.C., only and is not transferable without further action of the Board, and is for the location indicated on the application, 6810 Farrahs Cavalry Dr., and is not transferable to other land.
2. This special permit is granted only for the home child care facility indicated on the special permit plat prepared by Steven M. Schwartz., dated February 13, 1996, as revised through February 28, 2014 by Nasrin Nejad, and approved with this application, as qualified by these development conditions.

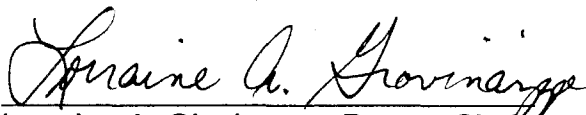
3. A copy of this special permit **SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY OF THE USE** and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 6:30 a.m. to 5:30 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
6. The number of non-resident assistants shall be limited to two.
7. All pick-up and drop-off of children shall take place in the driveway.
8. The dwelling that contains the child care facility shall be the primary residence of the applicant.
9. There shall be no signage associated with the home child care facility.
10. While the children are utilizing the outdoor play area, at least one assistant shall be present and monitoring the children at all times.
11. The fence around the pool shall be locked at all times during the child care facility hours.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 6 months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:



Lorraine A. Giovinazzo, Deputy Clerk  
Board of Zoning Appeals